

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

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|-----------------------------|---|--------------------------|
| _____ |) | |
| PHYLLIS STREET, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 04-1400 |
| |) | |
| VERIZON SOUTH INCORPORATED, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER

This matter comes before the Court on Defendant's Motion to Dismiss. Plaintiff's Complaint alleges employment discrimination and retaliation in violation of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§ 12101-12300 (2000). The ADA expressly incorporates the administrative procedures outlined in Title VII of the Civil Rights Act of 1964 (Title VII), 42 U.S.C. §§ 2000e to 2000e-17. Title VII places specific time limits on the filing of employment discrimination claims. See 42 U.S.C. § 2000e-5(e)(1). Specifically, Title VII provides that a plaintiff who initially files a charge of employment discrimination with the appropriate State or local agency must do so within three hundred days of when the alleged discriminatory acts occurred. Id.

Plaintiff jointly filed an initial charge of employment discrimination and retaliation with the Equal Employment

Opportunity Commission and the Prince William County Human Rights Commission on June 30, 2001. However, Plaintiff's Complaint fails to assert any discriminatory or retaliatory acts after her employment was terminated by Defendant on May 19, 2000.

Therefore, it appearing to the Court that Plaintiff has failed to exhaust her administrative remedies by not filing her initial charge of employment discrimination within three hundred days of the termination of her employment, it is hereby

ORDERED that Defendant's Motion to Dismiss is GRANTED and this case is DISMISSED.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
January 23, 2006